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Counsel for The Dugaboy Investment Trust

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re

**HIGHLAND SELECT EQUITY FUND,
L.P.**

Debtor.

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§

**Case No. 23-31039-mvl7
(Chapter 7)**

**CREDITOR THE DUGABOY INVESTMENT TRUST'S
WITNESS AND EXHIBIT LIST**

Creditor The Dugaboy Investment Trust submits this Witness and Exhibit List for the hearing on *Debtor's Motion to Transfer/Reassign Case* [Dkt. 9] scheduled on Wednesday, July 19, 2023, at 1:30 p.m. (the "Hearing").

WITNESSES

Creditor The Dugaboy Investment Trust (“Dugaboy”) may call the following persons to testify as witnesses at the Hearing:

1. Professor Steve Leben;
2. Any witness called by any other party; and
2. Rebuttal witnesses as necessary.

Dugaboy reserves the right to cross-examine any witness called by any other party.

EXHIBITS

Exhibit ¹	Document	Offered	Objection	Admitted
25	<i>James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., The Dugaboy Investment Trust, The Get Good Trust, and NexPoint Real Estate Partners, LLC, f/k/a HCRE Partners, LLC, a Delaware Limited Liability Company’s Motion to Recuse Pursuant to 28, U.S.C. § 455, Dkt. 2060 in Case No. 19-34054-sgj11, dated March 18, 2021 [App. 001 - App. 005]</i>			
26	<i>James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., The Dugaboy Investment Trust, Get Good Trust, and NexPoint Real Estate Partners, LLC, f/k/a HCRE Partners, LLC, a Delaware Limited Liability Company’s Amended Motion for Final Appealable Order and Supplement to Motion to Recuse Pursuant to 28 U.S.C. §455 and Brief in Support, Dkt. 3470 in Case No. 19-34054-sgj11, dated August 26, 2022 [App. 006 - App. 014]</i>			
27	<i>Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455, Dkt. 3570 in Case No. 19-34054-sgj11, dated October 17, 2022 [App. 015 - App. 017]</i>			
28	<i>Movants’ Supplemental Memorandum of Law in Support of Amended Renewed Motion to Recuse</i>			

¹ Dugaboy begins their exhibit numbers with No. 25 to avoid duplicative numbering with Highland Capital Management, L.P.’s Witness and Exhibit List at Dkt. 30.

Exhibit ¹	Document	Offered	Objection	Admitted
	<i>Pursuant to 28 U.S.C. §455, Dkt. 3673 in Case No. 19-34054-sgj11, dated March 2, 2023 [App. 018 - App. 023]</i>			
29	Opinion Letter of Professor Steve Leben dated July 6, 2023 [App. 024 - App. 058]			
30	<i>Order Authorizing the Filing of a Lawsuit by Dugaboy Investment Trust in New York, Dkt. 3373 in Case No. 19-34054-sgj11, dated June 22, 2022 [App. 059 - App. 061]</i>			
31	PACER Docket for Case No. 1:23-cv-01636-MKV [App. 062 - App. 066]			
32	<i>Suggestion of Bankruptcy, Dkt. 16 in Case No. 1:23-cv-01636-MKV, dated June 5, 2023 [App. 067 - App. 073]</i>			
33	January 9, 2020 Hearing Transcript (excerpted) in Case No. 19-34054-sgj11 [App. 074 - App. 078]			
34	PACER confirmation of Judge assigned to the Acis Bankruptcy (Case No. 18-30265-SGJ-11) [App. 079 - App. 080]			
35	<i>Bench Ruling and Memorandum of Law in Support of: (A) Final Approval of Disclosure Statement; and (B) Confirmation of Chapter 11 Trustee's Third Amended Joint Plan, Dkt. 827 in Case No. 18-30265-SGJ-11, dated January 31, 2019 [App. 081 - App. 128]</i>			
36	<i>Order Denying Motion to Recuse, Pursuant to 28 U.S.C. §455, Dkt. 2083 in Case No. 19-34054-sgj11, dated March 23, 2021 [App. 129 - App. 140]</i>			
37	<i>Order Denying Amended Motion of James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., The Dugaboy Investment Trust, Get Good Trust, and NexPoint Real Estate Partners, LLC, f/k/a HCRE Partners, LLC, a Delaware Limited Liability Company's for Final Appealable Order and Supplement to Motion to Recuse Pursuant to 28 U.S.C. §455 and Brief in Support, Dkt. 3479 in</i>			

Exhibit¹	Document	Offered	Objection	Admitted
	Case No. 19-34054-sgj11, dated September 1, 2022 [App. 141 - App. 144]			
38	<i>Movants' Amended Memorandum of Law in Support of Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455</i> , Dkt. 3571 in Case No. 19-34054-sgj11, dated October 17, 2022 [App. 145 - App. 174]			
39	<i>Memorandum Opinion and Order Denying "Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455,"</i> Dkt. 3676 in Case No. 19-34054-sgj11, dated March 6, 2023 [App. 175 - App. 211]			
40	Any exhibits designated by any other party			
41	Any exhibits necessary as rebuttal evidence			

Dugaboy reserves the right to amend or supplement this Witness and Exhibit List as necessary in advance of the Hearing.

Dated: July 14, 2023.

Respectfully submitted,

/s/ Deborah Deitsch-Perez

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CERTIFICATE OF SERVICE

I certify that on July 14, 2023, a true and correct copy of the foregoing document was served via the Court's Electronic Case Filing system to the parties that are registered or otherwise entitled to receive electronic notices in this proceeding.

/s/ Deborah Deitsch-Perez

Deborah Deitsch-Perez